

D. C., alleging shipment by said defendant, on July 23, 1921, in violation of the Food and Drugs Act, from Catlett, in the State of Virginia, into the District of Columbia, of a quantity of milk which was adulterated.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed with the said article, thereby reducing and lowering its quality and strength.

On August 9, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10113. Adulteration of candy. U. S. \* \* \* v. Hyman Siegel. Collateral of \$25 forfeited. (F. & D. No. 647-c.)**

On August 17, 1921, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of the District aforesaid an information against Hyman Siegel, Washington, D. C., alleging that on August 1, 1921, the said defendant did offer for sale and sell in the District of Columbia, in violation of the Food and Drugs Act, a quantity of candy which was adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 17, 1921, the defendant having failed to enter an appearance, the \$25 collateral which had been deposited by him to insure his appearance was declared forfeited by the court.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10114. Adulteration and misbranding of grape juice. U. S. \* \* \* v. A. Schmidt Jr. & Bros. Wine Co., a Corporation. Plea of nolo contendere. Fine, \$20 and costs. (F. & D. No. 8358. I. S. Nos. 11035-m, 11103-m.)**

On October 1, 1917, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the A. Schmidt Jr. & Bros. Wine Co., a corporation, Sandusky, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about June 20, 1916, from the State of Ohio into the State of Illinois, of quantities of grape juice which was adulterated and misbranded. A portion of the article was labeled in part, (bottle) "One Quart. Juno Unfermented Grape Juice \* \* \*." The remainder of the article was labeled in part, (bottle) "Rex Brand White Grape Juice \* \* \* Rex Grape Juice Company Chicago."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and for the further reason that added water had been substituted in part for grape juice, which the said article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Grape Juice," borne on the labels attached to the bottles containing the said article, regarding the article and the ingredients and substances contained therein, and the statement, to wit, "Rex Grape Juice Company Chicago," borne on the labels attached to a portion of the said bottles, were false and misleading in that they represented that the article consisted exclusively of grape juice and that the said portion was manufactured by the Rex Grape Juice Co., of Chicago, Ill., and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted exclusively of grape juice and that a portion thereof was manufactured by the Rex Grape Juice Co., of Chicago, Ill., whereas, in truth and in fact, the said article did not consist exclusively of grape juice, but did consist of a mixture composed in part of added water and the said portion was not manufactured by the Rex Grape Juice Co., of Chicago, Ill., but was manufactured by the A. Schmidt Jr. & Bros. Wine Co., at Sandusky, Ohio.

On December 7, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*